

**UNITED STATES DISTRICT COURT  
DISTRICT OF RHODE ISLAND**

**LEMUEL O. TAYLOR, *pro se*,**  
*Plaintiff*

v.

C.A.: 1:18-cv-00436-MSM-PAS

**WALTER DUFFY; *et al.*,**  
*Defendants*

**OBJECTION TO  
PLAINTIFF'S MOTION FOR LEAVE TO AMEND (ECF 39)**

**NOW COME**, the Defendants, pursuant to the Federal Rules of Civil Procedure and the Local Rules of the United States District Court, District of Rhode Island, and hereby object to Plaintiff, Lemuel Taylor's, (hereinafter, the "Plaintiff") Motion to Amend Complaint (ECF 39) on grounds the proposed amendment, or portions thereof, render the same futile. Broadly, the Proposed Second Amended Complaint is over pled, asserting a number of claims for which there are no factual allegations to support and naming a number of parties for which there are no substantive allegations asserted. Relative to those Defendants for which facts have been alleged, the Proposed Second Amended Complaint fails to state a claim upon which relief may be granted. Defendants respectfully rely on their accompanying memorandum in support.

**WHEREFORE**, Defendants respectfully request an Order of this Honorable Court denying Plaintiff's Motion to Amend (ECF 39).

Respectfully Submitted,

RIDOC Defendants  
by their attorney,

**PETER F. NERONHA  
ATTORNEY GENERAL**

*/s/ Matthew I. Shaw*

*/s/ Justin J. Sullivan*

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Dated: December 24, 2019

**CERTIFICATE OF SERVICE**

I hereby certify that on Tuesday, December 24, 2019 I filed the within document via the ECF filing system and that a copy is available for viewing and downloading.

*/s/ Taylor Poirier*

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